CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

What is claimed is:

1.   (Currently Amended) A quality rating tool comprising:

a listing of ~~one or more~~ a plurality of entities, ~~an~~ at least one entity being a type of health care provider; and

a measure indicating the frequency with which a level of dosing of a medication was prescribed by an entity in the plurality of entities, wherein the quality rating tool is used to select ~~an~~ one entity for providing health care services to a health care consumer.

2.   (Original) A quality rating tool as recited in claim 1 wherein the medication includes painkillers.

3.   (Original) A quality rating tool as recited in claim 2 wherein the measure is derived from a number of prescriptions in which a predetermined amount by weight of painkillers is not exceeded.

4.   (Original) A quality rating tool as recited in claim 3 wherein the predetermined dosage is four grams and the painkiller is acetaminophen (APAP).

Reply to Office Action and
Amendment Dated August 11, 2006.   -2-   Appl. No. 10/086,557
                                                       Atty. Docket No. 57243-5007

4116690v1

5. (Original) A quality rating tool as recited in claim 1 wherein the level of dosing indicated is a safe level of dosing.

6. (Original) A quality rating tool as recited in claim 1 wherein an entity is a medical group.

7. (Original) A quality rating tool as recited in claim 1 wherein an entity is a hospital.

8. (Original) A quality rating tool as recited in claim 1 wherein the measure is categorized in a clinical measures category.

9. (Original) A quality rating tool as recited in claim 8 wherein the measure is further categorized in a patient safety category.

10. (Currently Amended) A quality rating tool comprising:

a listing of ~~one or more~~ a plurality of entities, ~~an~~ at least one entity being a type of health care provider; and

a measure indicating the frequency with which use of an antibiotic for treating a condition is prescribed by an entity in the plurality of entities, wherein the quality rating tool is used to select ~~an~~ one entity for providing health care services to a health care consumer.

11. (Currently Amended) A quality rating tool as recited in claim 10 wherein the measure is an indication of a number of

Reply to Office Action and
Amendment Dated August 11, 2006.   -3-   Appl. No. 10/086,557
Atty. Docket No. 57243-5007

4116690v1

prescribed antibiotics where the prescribed antibiotics are medically accepted for initiating treatment of a the condition.

12. (Original) A quality rating tool as recited in claim 10 wherein the condition includes bronchitis.

13. (Original) A quality rating tool as recited in claim 10 wherein the measure is derived from a number of preferred antibiotic prescriptions and a number of total antibiotic prescriptions for treating the condition.

14. (Original) A quality rating tool as recited in claim 10 wherein the entity is a medical group.

15. (Original) A quality rating tool as recited in claim 10 wherein the entity is a hospital.

16. (Original) A quality rating tool as recited in claim 10 wherein the measure is represented in the quality rating tool as a percentile ranking.

17. (Original) A quality rating tool as recited in claim 10 wherein the measure is categorized in a clinical measures category.

18. (Original) A quality rating tool as recited in claim 17 wherein the measure is further categorized in a patient safety category.

Reply to Office Action and
Amendment Dated August 11, 2006.   -4-   Appl. No. 10/086,557
                                                        Atty. Docket No. 57243-5007

4116690v1

19.   (Currently Amended) A quality rating tool comprising:

a listing of ~~one or more~~ <u>a plurality of</u> entities, ~~an~~
entity being a type of health care provider; and

a measure indicating the frequency with which
appropriate diagnostic testing was performed when prescribing
antibiotics for a condition, wherein the quality rating tool is
used to select ~~an~~ <u>one</u> entity for providing health care services
to a health care consumer.

20.   (Original) A quality rating tool as recited in claim 19
wherein the measure is an indication of a number of prescriptions
that correspond with appropriate diagnostic testing.

21.   (Original) A quality rating tool as recited in claim 19
wherein the measure is derived from a number of prescribed
antibiotics that correspond with appropriate diagnostic testing
and a number of patients with the condition.

22.   (Original) A quality rating tool as recited in claim 21
wherein the condition includes pharyngitis.

23.   (Currently Amended) A quality rating tool comprising:

a listing of ~~one or more~~<u>a plurality of</u> entities, ~~an~~<u>at
least one</u> entity being a type of health care provider; and

a measure indicating the cost of health services and
products incurred by a health care consumer obtaining health care
services from an entity<u> in the plurality of entities</u>, wherein the

Reply to Office Action and   -5-   Appl. No. 10/086,557
Amendment Dated August 11, 2006.   Atty. Docket No. 57243-5007

4116690v1

quality rating tool is used to select ~~an~~ one entity for providing health care services.

24.   (Currently Amended) A quality rating tool as recited in claim 23 wherein a measure indicating the cost of health services and products incurred by ~~a~~ the health care consumer includes a measure indicating pharmaceutical costs incurred by ~~a~~ the health care consumer.

25.   (Currently Amended) A quality rating tool as recited in claim 23 wherein a measure indicating the cost of health services and products incurred by ~~a~~ the health care consumer includes a measure indicating emergency medical costs incurred by ~~a~~ the health care consumer.

26.   (Currently Amended) A quality rating tool measuring the performance of a medical group from a plurality of medical groups, the quality rating tool comprising:

a safe dosing of a medication measure;

a use of preferred antibiotics measure; and

an overuse of antibiotics measure, wherein the quality rating tool is used by a health care consumer in selecting an appropriate medical group.

27.   (Original) A quality rating tool measuring the performance of a medical group from a plurality of medical groups, the quality rating tool comprising:

Reply to Office Action and
Amendment Dated August 11, 2006.   -6-   Appl. No. 10/086,557
                                                        Atty. Docket No. 57243-5007

4116690v1

a member pharmaceutical cost measure; and

a member emergency services cost measure wherein the quality rating tool is used by a health care consumer in selecting an appropriate medical group.

28. (Currently Amended) A method of creating a quality rating tool in the health care industry, the method comprising:

selecting a unit of analysis which defines ~~the~~ a granularity of the quality rating tool;

collecting data from a plurality of sources relating to a plurality of measures used in the quality rating tool; and

calculating a score for a measure from the plurality of measures using data from the plurality of sources, wherein the measures include a safe dosing of a medication measure

29. (Currently Amended) A method of creating a quality rating tool in the health care industry, the method comprising:

selecting a unit of analysis which defines ~~the~~ a granularity of the quality rating tool;

collecting data from a plurality of sources relating to a plurality of measures used in the quality rating tool; and

calculating a score for a measure from the plurality of measures using data from the plurality of sources, wherein the measures include use of preferred antibiotics measure.

Reply to Office Action and
Amendment Dated August 11, 2006.   -7-

Appl. No. 10/086,557
Atty. Docket No. 57243-5007

4116690v1

30. (Currently Amended) A method of creating a quality rating tool in the health care industry, the method comprising:

selecting a unit of analysis which defines ~~the~~ a granularity of the quality rating tool;

collecting data from a plurality of sources relating to a plurality of measures used in the quality rating tool; and

calculating a score for a measure from the plurality of measures using data from the plurality of sources, wherein the measures include an overuse of antibiotics measure.

31. (New) An article of manufacture comprising a program storage medium having computer readable program code embodied therein for creating a quality rating tool in the health care industry, comprising:

computer readable code for selecting a unit of analysis which defines a granularity of the quality rating tool;

computer readable code for collecting data from a plurality of sources relating to a plurality of measures used in the quality rating tool; and

computer readable code for calculating a score for a measure from the plurality of measures using data from the plurality of sources, wherein the measures include a safe dosing of a medication measure.

32. (New) An article of manufacture comprising a program storage medium having computer readable program code embodied

Reply to Office Action and
Amendment Dated August 11, 2006.   -8-

Appl. No. 10/086,557
Atty. Docket No. 57243-5007

4116690v1

therein for creating a quality rating tool in the health care industry, comprising:

computer readable code for creating a listing of a plurality of entities, with at least one entity in the plurality of entities being a type of health care provider; and

computer readable code for deriving a measure indicating the frequency with which a dosing of a medication was prescribed by an entity in the plurality of entities, wherein the quality rating tool is used to select one entity for providing health care services to a health care consumer.

33.   (New) The article of manufacture as recited in claim 32 wherein the medication includes painkillers.

34.   (New) The article of manufacture as recited in claim 33 wherein the measure is derived from a number of prescriptions in which a predetermined amount by weight of painkillers is not exceeded.

35.   (New) The article of manufacture as recited in claim 34 wherein the predetermined amount by weight is four grams and the painkiller is acetaminophen (APAP).

36.   (New) The article of manufacture as recited in claim 32 wherein the dosing indicated is a safe level of dosing.

Reply to Office Action and
Amendment Dated August 11, 2006.   -9-   Appl. No. 10/086,557
                                                 Atty. Docket No. 57243-5007

4116690v1

37. (New) The article of manufacture as recited in claim 32 wherein one entity in the plurality of entities is a medical group.

38. (New) The article of manufacture as recited in claim 32 wherein one entity in the plurality of entities is a hospital.

39. (New) The article of manufacture as recited in claim 32 wherein the measure is categorized in a clinical measures category.

40. (New) The article of manufacture as recited in claim 39 wherein the measure is further categorized in a patient safety category.

41. (New) The article of manufacture as recited in claim 32 wherein the medication is an antibiotic.

42. (New) The article of manufacture as recited in claim 41 wherein the measure further comprises an indication of a number of prescribed antibiotics where the prescribed antibiotics are medically accepted for initiating treatment of a condition.

43. (New) The article of manufacture as recited in claim 42 wherein the condition includes bronchitis.

44. (New) The article of manufacture as recited in claim 42 wherein the measure is derived from a number of preferred

Reply to Office Action and
Amendment Dated August 11, 2006.   -10-   Appl. No. 10/086,557
                                                      Atty. Docket No. 57243-5007

4116690v1

antibiotic prescriptions and a number of total antibiotic prescriptions for treating the condition.

45.   (New) The article of manufacture as recited in claim 42 wherein the measure comprises an indication of a number of prescriptions that correspond with appropriate diagnostic testing.

46.   (New) The article of manufacture as recited in claim 42 wherein the measure is derived from a number of prescribed antibiotics that correspond with appropriate diagnostic testing and a number of patients with the condition.

47.   (New) The article of manufacture as recited in claim 42 wherein the condition includes pharyngitis.

48.   (New) An article of manufacture comprising a program storage medium having computer readable program code embodied therein for creating a quality rating tool in the health care industry, comprising:

computer readable code for creating a listing of a plurality of entities, at least one entity being a type of health care provider; and

computer readable code for determining a measure indicating the cost of health services and products incurred by a health care consumer obtaining health care services from an entity in the plurality of entities, wherein the quality rating

Reply to Office Action and
Amendment Dated August 11, 2006.   -11-   Appl. No. 10/086,557
Atty. Docket No. 57243-5007

4116690v1

tool is used to select one entity for providing health care services.

49.   (New) The article of manufacture as recited in claim 48 wherein the measure indicating the cost of health services and products incurred by the health care consumer includes a measure indicating pharmaceutical costs incurred by the health care consumer.

50.   (New) The article of manufacture as recited in claim 48 wherein the measure indicating the cost of health services and products incurred by the health care consumer includes a measure indicating emergency medical costs incurred by the health care consumer.

51.   (New) An article of manufacture comprising a program storage medium having computer readable program code embodied therein for creating a quality rating tool measuring the performance of a medical group from a plurality of medical groups, the article of manufacture comprising:

computer readable code for determining a safe dosing of a medication measure;

computer readable code for determining a use of preferred antibiotics measure; and

Reply to Office Action and   -12-   Appl. No. 10/086,557
Amendment Dated August 11, 2006.   Atty. Docket No. 57243-5007

4116690v1

computer readable code for determining an overuse of antibiotics measure, wherein the quality rating tool is used by a health care consumer in selecting an appropriate medical group.

52. (New) An article of manufacture comprising a program storage medium having computer readable program code embodied therein for creating a quality rating tool measuring the performance of a medical group from a plurality of medical groups, the article of manufacturer comprising:

computer readable program code for determining a member pharmaceutical cost measure; and

computer readable program code for determining a member emergency services cost measure wherein the quality rating tool is used by a health care consumer in selecting an appropriate medical group.

53. (New) An article of manufacture comprising a program storage medium having computer readable program code embodied therein for creating a quality rating tool in the health care industry, the article of manufacturer comprising:

computer readable program code for selecting a unit of analysis which defines a granularity of the quality rating tool;

computer readable program code for collecting data from a plurality of sources relating to a plurality of measures used in the quality rating tool; and

Reply to Office Action and
Amendment Dated August 11, 2006.   -13-   Appl. No. 10/086,557
Atty. Docket No. 57243-5007

4116690v1

computer readable program code for calculating a score for a measure from the plurality of measures using data from the plurality of sources, wherein the measures include a safe dosing of a medication measure

54.   (New) An article of manufacture comprising a program storage medium having computer readable program code embodied therein for creating a quality rating tool in the health care industry, the article of manufacturer comprising:

computer readable program code for selecting a unit of analysis which defines a granularity of the quality rating tool;

computer readable program code for collecting data from a plurality of sources relating to a plurality of measures used in the quality rating tool; and

computer readable program code for calculating a score for a measure from the plurality of measures using data from the plurality of sources, wherein the measures include use of preferred antibiotics measure.

55.   (New) An article of manufacture comprising a program storage medium having computer readable program code embodied therein for creating a quality rating tool in the health care industry, the article of manufacturer comprising:

computer readable program code for selecting a unit of analysis which defines a granularity of the quality rating tool;

Reply to Office Action and
Amendment Dated August 11, 2006.   -14-   Appl. No. 10/086,557
                                                          Atty. Docket No. 57243-5007

4116690v1

computer readable program code for collecting data from a plurality of sources relating to a plurality of measures used in the quality rating tool; and

computer readable program code for calculating a score for a measure from the plurality of measures using data from the plurality of sources, wherein the measures include an overuse of antibiotics measure.

Reply to Office Action and
Amendment Dated August 11, 2006.   -15-   Appl. No. 10/086,557
                                                                  Atty. Docket No. 57243-5007

4116690v1